1 2 3 4 **E-FILED on** 8/31/2012 5 6 7 8 IN THE UNITED STATES DISTRICT COURT 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION 10 11 12 CHAD RICH, No. C-12-00757 RMW 13 Plaintiff, ORDER DISMISSING CASE 14 v. 15 BANK OF AMERICA HOME LOANS; FEDERAL NATIONAL MORTGAGE 16 ASSOC., 17 Defendants. 18 On May 3, 2012, the court issued an Order Adopting Report and Recommendation and 19 Granting Motion to Dismiss With Leave to Amend, allowing plaintiff thirty days to file an amended 20 complaint. To date, no amended complaint has been filed. 21 On August 31, 2012, the court held a hearing on an order to show cause why the case should 22 not be dismissed for failure to diligently prosecute. Although plaintiff appeared at the hearing, he 23 has not shown good cause for his failure to file an amended complaint. Thus, the case is dismissed 24 without prejudice. 25

ld M. Whyte DATED: August 31, 2012 United States District Judge

ORDER DISMISSING CASE—No. C-12-00757 RMW LJP

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